

Indigent Defense Program

DESCRIPTION OF MAJOR SERVICES

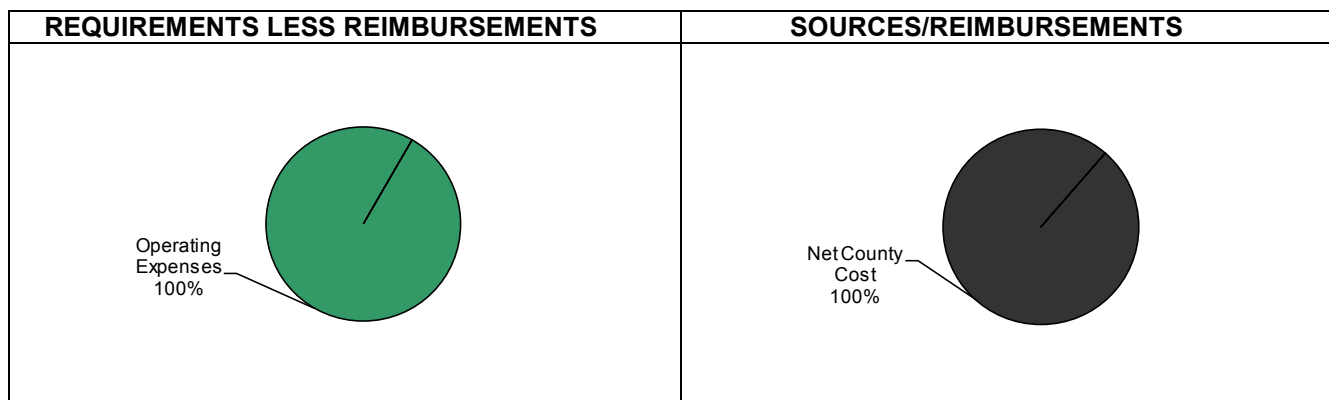
The Indigent Defense Program provides for representation services appointed by the Superior Court for indigent defendants in criminal and juvenile delinquency proceedings that the Public Defender is unable to represent, and for conservatorship, guardianship, probate, family law other than Family Code § 3150 minor's counsel, and misdemeanor appeals. A portion of this budget is also set aside for capital case defense costs for the Public Defender Capital Defense Unit. The program administers contracts, monitors caseloads and expenditures, processes accounts payable and performs trust fund accountings, and reports to the County Finance Office. The program administers and coordinates court-appointed representation services of attorneys, experts and investigators for an average of 3,000 misdemeanor and 3,800 felony cases per year, including capital and life-without-parole cases, and an average of 600 conservatorship, guardianship, probate, mental health, misdemeanor appeal and other cases per year. In coordination with the Superior Court, this program also administers the County's Dispute Resolution Programs Act alternate dispute resolution program and its associated special revenue fund. This unit funds one analyst and one fiscal/accounting position.

Budget at a Glance

Requirements Less Reimbursements*	\$10,046,137
Sources/Reimbursements	\$32,000
Net County Cost	\$10,014,137
Total Staff	0
Funded by Net County Cost	100%

*Includes Contingencies

2014-15 RECOMMENDED BUDGET



ANALYSIS OF 2014-15 RECOMMENDED BUDGET

GROUP: Law and Justice
DEPARTMENT: Indigent Defense Program
FUND: General

BUDGET UNIT: AAA IDC
FUNCTION: Public Protection
ACTIVITY: Judicial

	2010-11 Actual	2011-12 Actual	2012-13 Actual	2013-14 Estimate	2013-14 Modified Budget	2014-15 Recommended Budget	Change From 2013-14 Modified Budget
Requirements							
Staffing Expenses	0	0	0	0	0	0	0
Operating Expenses	8,969,038	9,686,812	8,660,660	9,654,442	9,805,546	10,046,137	240,591
Capital Expenditures	0	0	0	0	0	0	0
Contingencies	0	0	0	0	0	0	0
Total Exp Authority	8,969,038	9,686,812	8,660,660	9,654,442	9,805,546	10,046,137	240,591
Reimbursements	0	0	0	0	0	0	0
Total Appropriation	8,969,038	9,686,812	8,660,660	9,654,442	9,805,546	10,046,137	240,591
Operating Transfers Out	0	0	0	0	0	0	0
Total Requirements	8,969,038	9,686,812	8,660,660	9,654,442	9,805,546	10,046,137	240,591
Sources							
Taxes	0	0	0	0	0	0	0
Realignment	0	0	0	0	0	0	0
State, Fed or Gov't Aid	0	0	0	0	0	0	0
Fee/Rate	137,272	106,790	81,686	39,270	90,000	32,000	(58,000)
Other Revenue	33,155	12,825	56,189	0	0	0	0
Total Revenue	170,427	119,615	137,875	39,270	90,000	32,000	(58,000)
Operating Transfers In	0	0	0	0	0	0	0
Total Financing Sources	170,427	119,615	137,875	39,270	90,000	32,000	(58,000)
Net County Cost	8,798,611	9,567,197	8,522,785	9,615,172	9,715,546	10,014,137	298,591
				Budgeted Staffing	0	0	0

MAJOR EXPENDITURES AND REVENUE IN 2014-15 RECOMMENDED BUDGET

Operating expenses of \$10.0 million includes \$9.6 million for contracted and *ad hoc* (non-contracted) court-appointed legal representation services for indigent defendants in criminal and juvenile delinquency cases, and for other cases requiring court-appointed representation services including conservatorship, guardianship, probate, mental health, and misdemeanor appeals. These expenses also include costs for investigator and expert services for the Public Defender's Capital Defense Unit, reflecting the division's projected caseload. A transfer to Finance and Administration for two limited-term contract employee positions for program administration services are included in the budget.

Operating expenses also include transfers of \$430,000 to the Public Defender's Capital Defense Unit's capital case defense costs, funding for two limited term contract employee positions to staff Indigent Defense during 2014-15, and services and supplies related to the two contract employee positions.

Fee/rate revenue of \$32,000 reflects the receipt of client payments for appointed juvenile delinquency representation services.

BUDGET CHANGES AND OPERATIONAL IMPACT

Requirements are increasing by \$240,591 primarily due to a new contract for court appointed attorney services and resulting increased costs for adult indigent defense representation services, and a new contract for delinquency representation services anticipated to be effective July 1, 2014.

Other professional and special services for court-appointed services of experts and investigators for non-capital cases is decreased by \$75,000 in anticipation of ongoing reduced needs for these services since the Superior Court's January 2010 implementation of its designated Penal Code § 987.2 Judge program, and the Superior Court's adoption of its *Penal Code § 987.2 Procedures and Rules*.

Special department expense for court-appointed Penal Code § 987.9 confidential services of experts and investigators for capital cases is decreased by \$25,000 in anticipation of decreased need for these services during 2014-15.



Agency Administration, previously budgeted at \$100,000, is eliminated for 2014-15 due to the termination of reimbursement to the Superior Court for its previous program administration, and transfers to Finance and Administration for \$200,000 fund positions to staff Indigent Defense program administration for 2014-15. Transfers also include funding for the Public Defender's Capital Defense Unit's capital case defense costs. Non-inventoriable equipment is eliminated for 2014-15, and Transfers Out is added for office equipment needed for the positions supporting the program.

STAFFING CHANGES AND OPERATIONAL IMPACT

There has traditionally been no budgeted staffing associated with this budget unit as staff supporting the program have been employees of the Court. However, the Court informed the County in 2014 that it will no longer administer the program. As a result, two positions have been added in Finance and Administration to support this program and costs associated with these positions will be funded by this budget unit.

